

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN GUARANTEE AND
LIABILITY INSURANCE COMPANY,

Plaintiff,

v.

ALAN P. ROSEFIELD,

Defendant.

ECF CASE

Civil Action 07-civ-11273 (GEL/GWG)

**NOTICE OF MOTION TO DISMISS FOR
FAILURE TO PLEAD FRAUD WITH
SUFFICIENT PARTICULARITY**

TO: Steven A. Coploff
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Attorneys for Plaintiff,
American Guarantee and Liability Insurance Company

PLEASE TAKE NOTICE that the undersigned attorneys for defendant, Alan P. Rosefield, will move this Court, before the Honorable Gerard E. Lynch, United States District Judge, pursuant to Rule 9(b) of the Federal Rules of Civil Procedure, for an Order dismissing Count One of the Complaint filed by plaintiff, American Guarantee and Liability Insurance Company, for failure to plead fraud with particularity.

In support of this Motion, Rosefield shall rely upon the accompanying brief. A proposed form of Order is also being submitted.

Respectfully submitted,

ARCHER & GREINER
A Professional Corporation

By: s/ Alexander Nemiroff

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